
Appeal Decision

Site visit made on 2 June 2020

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 June 2020

Appeal Ref: APP/R3650/D/20/3246679

Forge Cottage, Bowlhead Green, Godalming, Surrey GU8 6NW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Caroline Sumner against the decision of Waverley Borough Council.
 - The application Ref WA/2019/1038, dated 17 June 2019, was refused by notice dated 21 November 2019.
 - The development proposed is erection of a car port following demolition of existing car port.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a car port following demolition of existing car port at Forge Cottage, Bowlhead Green, Godalming, Surrey GU8 6NW in accordance with the terms of the application, Ref WA/2019/1038, dated 17 June 2019, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 1905 01; 1905 02 Rev A; and 1905 03
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be finished in accordance with the details shown on drawing No 1905 02 Rev A.

Preliminary Matter

2. Construction work for the proposed car port has commenced, however it has not been completed. I have therefore determined the appeal on the basis of the details shown on drawing No 1905 02 Rev A.

Main Issues

3. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; and,
 - The effect of the proposed development on the character and appearance of the Conservation Area.

Reasons

Inappropriate development

4. The appeal site is located within the Green Belt. Paragraph 145 of the Framework states that new buildings are inappropriate development in the Green Belt unless they fall within the given list of exceptions. Under section c) of that paragraph an extension of a building would not be inappropriate development provided that it does not result in disproportionate additions over and above the size of the original building. Policy RE2 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites February 2018 (the LP) is consistent with this.
5. The Framework defines an original building as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally. The evidence before me shows that the original building, which the appellant refers to as 'the Smithy', has a gross external area of approximately 65 square metres. The car port subject of the appeal would result in an increase in gross external area of around 21 square metres. This amounts to an increase of around 33% over the original building.
6. The Framework does not specify what might be a disproportionate addition over and above the size of the original building. In this case, the bulk of the car port would be limited by its open-sided design and its subservient height in relation to the original building. Taken together with the relatively modest increase in gross external area above that of the original building, I find that the car port would not result in a disproportionate addition over and above the size of the original building. Accordingly, the proposal would not constitute inappropriate development having regard to Policy RE2 of the LP and paragraph 145 of the Framework.

Conservation Area

7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. Paragraph 193 of the Framework states that "*great weight should be given to the [designated heritage] asset's conservation*".
8. The appeal site is located within the Bowlhead Green Conservation Area (the CA), which consists of a small hamlet of dwellings. The properties are traditional and have a pleasing appearance. The evidence before me indicates that several date from the 16th and 17th Century.
9. The proposed car port would be larger than the previous structure which has been removed. However, its scale would appear subordinate to the original building by virtue of its open-sided design; its proportionate footprint; and its subservient height. The prominence of the car port would also be limited by the degree of set-back from the road, and it would maintain an appropriate gap to Forge Cottage. Furthermore, the materials of the car port, including timber framing; feather edged weatherboarding; and a cedar shingle roof, would provide an appearance that is sympathetic to the character and appearance of the original building and the wider Conservation Area.
10. For these reasons, I conclude that the proposed development would preserve the character and appearance of the CA. It would therefore accord with Policy

HA1 of the LP, Saved Policy HE8 of the Waverley Borough Local Plan 2002 and Chapter 16 of the Framework, which, amongst other things, seek to preserve or enhance the significance of heritage assets.

Other Matters

11. The site lies in an Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV). The Council has raised no specific concerns in respect of the effect of the proposal on the character and appearance of the AONB or the AGLV. Having regard to my findings in the second main issue, the proposal would preserve the character and appearance of the designated area.
12. The site is within the buffer zones of the Wealden Heaths Special Protection Area and the Wealden Heaths Special Area of Conservation (the habitats sites). The car port would not provide habitable living accommodation and therefore it would not result in additional recreational pressure on the habitats sites. Consequently, it would not have an adverse effect on the integrity of the habitats sites.
13. I have had regard to the representations made by local residents and the Parish Council, which, in addition to the above main issues, raise concerns that there has been an unauthorised removal of a tree to allow for the car port. The Council's committee report states that it is difficult to determine when the removal of the tree took place due to the change of ownership at the host dwelling and there is no record of a protected tree at the site. For these reasons, the Council states that the removal of the tree cannot be considered material the case. I have no substantive evidence before me to suggest otherwise.
14. A representation has stated that the proposal would contradict section 9.22 of the Residential Extensions Supplementary Planning Document 2010 because it is a building in the front garden, which the guidance discourages. Nevertheless, the document is guidance rather than prescriptive policy. In order to justify the withholding of planning permission it is necessary to demonstrate how the proposed development would cause harm. The car port would adjoin the side of an existing building and for the reasons discussed above, it would not appear unduly prominent and would preserve the character and appearance of the CA.

Conditions

15. I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is for the avoidance of doubt and in the interests of certainty. In order to maintain the character and appearance of the building and the CA, I have also imposed a condition requiring the external surfaces of the development to be finished in the materials shown on drawing No 1905 02 Rev A.

Conclusion

16. For the above reasons, and having had regard to all other matters, I conclude that the appeal should be allowed.

C Osgathorp

INSPECTOR